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Attorneys for Defendant State of California (by and through the California Highway
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UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF CALIFORNIA

JACOB GREGOIRE,

Plaintiff,

vs.

SERGIO FLORES, an individual,
and DOES 1 to 50,

Defendants.

CASE NO. 14-cv-1749 GPC (DHB)

**JOINT MOTION TO EXTEND TIME
TO RESPOND TO MOTION FOR
SUMMARY JUDGMENT AND TO
REPLY TO RESPONSE**

Date: Ex Parte
Time: Ex Parte
Courtroom: 2D
Judge: The Hon. Gonzalo P. Curiel

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1 On November 23, 2015, Defendants filed a motion for summary judgment. On
2 November 30, 2015, the Court ordered that any opposition shall be filed on or before
3 December 18, 2015 and that any reply shall be filed on or before January 8, 2016.

4 The parties jointly move for an order extending the time for Plaintiff to respond
5 to the motion for summary judgment to January 11, 2016 and extending the time for
6 Defendants to reply to January 22, 2016. This joint motion is made for the following
7 reasons:

- 8 1. Plaintiff's counsel Steve Hoffman has currently calendared in other
9 cases: a deposition in another county scheduled for December 11, 2015,
10 an oral argument before the California Court of Appeal on December 14,
11 2015 and a motion hearing in Superior Court of California on December
12 18, 2015. Hoffman had also planned to take leave from December 25,
13 2015 through January 3, 2016.
- 14 2. Plaintiff's counsel is trying to schedule a meeting with their retained
15 police practices expert, Roger Clark, to obtain further information
16 necessary to properly respond to Defendants' motion. Clark has been
17 working on several other high profile cases in other states and a meeting
18 has not yet been scheduled. Plaintiff's counsel is also trying to contact
19 witnesses for affidavits in order to properly respond to Defendants
20 motion.
- 21 3. The parties had a mandatory settlement conference on December 4,
22 2015. The settlement conference was unsuccessful. Plaintiff's counsel
23 did not begin work on the response to Defendants' motion for summary
24 judgment prior to the settlement conference so that unnecessary work
25 was not performed in the event of a settlement.

26 Neither party has requested an extension of time for the briefing of this motion.
27 The parties therefore jointly move for an order extending the time to respond to
28 Defendants' motion for summary judgment to January 11, 2016 and the time for

1 Defendants to reply to January 22, 2016.

2 Respectfully submitted,

3 Dated: December 8, 2015

Kamal D. Harris
Attorney General of California
Richard F. Wolfe
Supervising Deputy Attorney General

6 s/Douglas Baxter
Douglas Baxter, Deputy Attorney
General, Attorneys for Defendants State
of California
(by and through the California Highway
Patrol) and Sergio Flores

10 Dated: December 7, 2015

The Gilleon Law Firm

11 s/Daniel M. Gilleon
Daniel M. Gilleon, Attorneys for
Plaintiff Jacob Gregoire

13 Dated: December 7, 2015

Casey Gerry Schenk Francavilla
Blatt & Penfield, LLP

15 s/Thomas D. Luneau
Thomas D. Luneau, Attorneys for
Plaintiff Jacob Gregoire

17 Dated: December 7, 2015

Law Office Of Steve Hoffman

18 s/Steve Hoffman
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21 Pursuant to Section 2(f)(4) of the Electronic Case Filing Administrative Policies
22 and Procedures of the United States District Court for the Southern District of
23 California I certify that I certify that the content of this document is acceptable to
24 counsel for the Defendants and that I have obtained authorization from all other
25 counsel to affix their electronic signatures to this document.

26 s/Steve Hoffman
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